

AR/1632  
Btw

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert Klein  
Serial No.: 09/887,540  
Filed: July 6, 2001  
Confirmation No.: 5814  
Due Date: August 18, 2004  
Title: TRANSGENIC MICE CONTAINING LRP5 GENE DISRUPTIONS

Examiner: Wilson, Michael C.  
Group Art Unit: 1632  
Docket: R-193/40338.119USU1  
Notice of Allow. Date:

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 31, 2004.

By: Mary C. Nötter  
Name: Mary C. Nötter

~~Mail Stop At~~

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**26619**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing Certificate of Mailing
- ☒ Power of Attorney
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
303.357.1670

By: JB  
Name: John E. Burke  
Reg. No.: 35,836  
JEBurke/mcn



PTO/SB/80 (12-03)  
Approved for use through 11/30/2005. OMB 0651-0035  
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## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby appoint:

☒ Practitioners associated with the Customer Number:

26619

OR

☒ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number
JOHN E. BURKE	35,836

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

DELTA GEN, INC.  
1031 BING STREET  
SAN CARLOS, CA  
94070

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

### SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	ROBERT J. DRISCOLL			
Signature		Date	8-26-04	
Title	VICEPRESIDENT, INTELLECTUAL PROPERTY & LEGAL AFFAIRS		Telephone	650-569-5168

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## BOX ASSIGNMENTS

RECORDATION FORM COVER SHEET  
PATENT APPLICATIONS AND PATENTS

TO THE COMMISSIONER FOR PATENTS AND TRADEMARKS:

Sir: Please record the enclosed documents.

## 1. NAME OF CONVEYING PARTY/IES:

a. Robert Klein

## 2. PARTY(ASSIGNEE) RECEIVING INTEREST:

NAME: DeltaGen, Inc.  
ADDRESS: 1003 Hamilton Avenue  
Menlo Park, CA 94025

## 3. NATURE OF CONVEYANCE: (Submit one document for recordation--multiple copies signed by different inventors is one document)

☒ Assignment of ☒ Whole ☐ Part interest  
☐ Change of name ☒ Patent Application  
☐ Security ☐ Merger ☐ Other:

Execution date:  
September 5, 2001

4. Pat. App. No.	Filing Date	DeltaGen Ref.			
09/887,540	June 21, 2001	R-193			

## 5. Name and address of party to whom correspondence concerning document should be mailed:

DeltaGen, Inc.  
1003 Hamilton Avenue  
Menlo Park, CA 94025  
Tel. (650) 463-5836  
Fax (650) 617-1108

## 6. NUMBER INVOLVED:

Applns: 1 + Pats: 0 = TOTAL 1

7. Amount of fee enclosed: \$40.00

8. If fee is missing or inadequate, please charge i  
insufficiency to:  
Deposit Account No. 50-1271  
Order No. R-193

## 9. STATEMENT AND SIGNATURE. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

  
Gayle D. Peterson

Date: December 19, 2001

10. Total pages including this cover sheet and document: 2

ASSIGNMENT  
of U.S. Origin Patent Application

WHEREAS, the undersigned, to wit: Robert Klein, (hereinafter ASSIGNOR), has made an invention entitled, *Transgenic Mice Containing LPR5 Gene Disruptions*, for which an application for U.S. Letters Patent was filed in the United States Patent and Trademark Office on June 21, 2001, under Application No. 09/887,540; and

WHEREAS, ASSIGNOR desires to assign all right, title and interest in and to the above-identified invention to the ASSIGNEE identified below; and

WHEREAS, **DELTAGEN, INC.**, ASSIGNEE, a corporation duly organized and existing under the laws of the State of Delaware and having its principal office and place of business at 1003 Hamilton Avenue, Menlo Park, California 94025, desires to acquire an interest therein;

~ ~ ~

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, said ASSIGNOR does hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest to the said invention in the United States and all foreign countries, as described in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

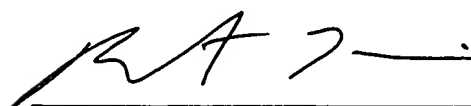
ASSIGNOR further agrees, upon request of ASSIGNEE and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

Executed on the date below indicated.

Signature

Date Signed

Witness



ROBERT KLEIN

9/5/01

